

1 KARL O. RILEY  
2 Nevada Bar No. 12077  
3 COZEN O'CONNOR  
3753 Howard Hughes Pkwy., Suite 200  
Las Vegas, NV 89169  
4 Telephone: 702-470-2330  
Facsimile: 702-470-2370  
5 Email: koriley@cozen.com

6 CASEY GRIFFITH  
Texas Bar No. 24036687 (Admitted *Pro Hac Vice*)  
7 MICHAEL BARBEE  
Texas Bar No. 24082656 (Admitted *Pro Hac Vice*)  
8 MAEGHAN WHITEHEAD  
Texas Bar No. 24075270 (Admitted *Pro Hac Vice*)  
9 GRIFFITH BARBEE PLLC  
One Arts Plaza  
10 1722 Routh Street, Suite 710  
Dallas, TX 75201  
11 Telephone: 214-446-6020  
Facsimile: 214-446-6021  
12 Email: casey.griffith@g Griffithbarbee.com  
Email: michael.barbee@g Griffithbarbee.com  
13 Email: maeghan.whitehead@g Griffithbarbee.com

14 Attorneys for Defendant and Counterclaim-  
Plaintiff Sayers Construction, LLC

15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 UNITED STATES OF AMERICA, For  
the Use of Benefit of SOURCE  
HELICOPTERS, DIVISION OF  
19 ROGERS HELICOPTERS, INC., a  
California corporation,

Case No.: 2:19-cv-1602-JCM-EJY

20 Plaintiff,

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR JOINT  
PRETRIAL ORDER  
(First Request)**

21 vs.

22 SAYERS CONSTRUCTION, LLC, a  
Texas limited liability company  
PHILADELPHIA INDEMNITY  
24 INSURANCE COMPANY, a  
PENNSYLVANIA corporation; and  
25 DOES I-V and ROE CORPORATIONS I-  
V,

26 Defendants.

1 Use-Plaintiff, Source Helicopters, Division of Rogers Helicopters, Inc. (“Plaintiff” or  
 2 “Rogers”), and Defendants, Sayers Construction, LLC (“Sayers”) and Philadelphia Indemnity  
 3 Insurance Company (“PIIC”), by and through their attorneys, hereby stipulate and request the Court  
 4 extend the parties’ deadline to file the Joint Pretrial Order. In support of this stipulation and request,  
 5 the following is provided, pursuant to LR IA 6-1:

7 The deadline for filing the Joint Pretrial Order in this action is currently set for Wednesday,  
 8 April 13, 2022. This deadline was triggered by the Court’s March 14, 2022 Order on the parties’ cross-  
 9 motions for summary judgment [Dkt. #92]. On March 21, 2022, counsel for Sayers tried to call counsel  
 10 for Plaintiff to discuss logistics regarding the Joint Pretrial Order and to propose a mediation in light  
 11 of the Court’s guidance provided by the March 14, 2022 Order and followed up via email. Counsel  
 12 for Sayers and counsel for Plaintiff spoke about logistics regarding the Joint Pretrial Order on March  
 13 23, 2022, and counsel for Plaintiff represented a draft of the Joint Pretrial Order would be circulated  
 14 on or by April 1, 2022. Unfortunately, a draft was not circulated until April 6, 2022, at 3:26 pm PT.  
 15 Sayers and PIIC contend they have not had an opportunity to confer with Plaintiff on objections.  
 16 Counsel for Sayers sent an email on Friday, April 8, 2022, at 1:53 pm PT and requested a continuance  
 17 to complete the Joint Pretrial Order based on the state of the draft. Counsel for PIIC responded on  
 18 Friday, April 8 at 2:17 pm PT and agreed an extension would be necessary and supported a stipulated  
 19 extension. To date, Sayers or PIIC have not provided specific revisions Plaintiff’s draft of the Joint  
 20 Pretrial Order.

21  
 22 Counsel for Sayers has, and will continue to have, an unusually busy docket, including but not  
 23 limited to the following deadlines and events:

- 24 • March 28, 2022 – Deadline for reply brief in Texas state court appeal
- 25 • April 4, 2022 – Deposition in Texas state court lawsuit
- 26 • April 6, 2022 – Deadline to file responsive briefing to dispositive motion practice in Texas  
 27 state court lawsuit

- 1     • April 7, 2022 – In-person hearing on dispositive motion practice in Texas state court  
2       lawsuit
- 3     • April 19, 2022 – Deposition in Eastern District of Texas lawsuit
- 4     • April 20, 2022 – Deposition in Texas state court lawsuit
- 5     • April 20, 2022 – In-person hearing in Texas state court lawsuit
- 6     • April 22, 2022 – In-person hearings and depositions in Texas state court lawsuits
- 7     • May 2, 2022 – Deadline for expert disclosures in Eastern District of Texas lawsuit
- 8     • May 3, 2022 – Deposition in Texas state court lawsuit

These events have and will take away time from the adequate preparation of the Joint Pretrial Order.

Additional time is necessary to complete parties' respective sections of the Joint Pretrial Order and to meaningfully confer on their respective objections to witness, exhibit, and deposition designations.

Counsel for Sayers and counsel for PIIC have conferred via teleconference and propose a mediation could be productive in light of the Court's March 14, 2022 Order on the parties' cross-motions for summary judgment [Dkt. #92].

In consideration of the above, the parties submit good cause is present for their request for an extension of the current deadline for the Joint Pretrial Order. The parties propose the current April 13, 2022 deadline for filing the Joint Pretrial Order shall be extended to **Wednesday, May 11, 2022**.

\\\

\\\

\\\

\\\

\\\

\\\

\\\

\\\

\\\

**1 GRIFFITH BARBEE, PLLC**

2 By /s/ Casey Griffith  
 3 Casey Griffith, Esq. (pro hac vice)  
 4 Michael Barbee, Esq. (pro hac vice)  
 5 Maeghan Whitehead, Esq. (pro hac vice)  
 6 Dallas Flick, Esq. (pro hac vice pending)  
 7 One Arts Plaza  
 8 1722 Routh Street, Suite 710  
 9 Dallas, Texas 75201  
 Ph. (214) 446-6020; fax (214) 446-6021  
 Email: casey.griffith@g Griffithbarbee.com  
 Email: Michael.barbee@g Griffithbarbee.com  
 Email: maeghan.whitehead@grf fifthbarbee.com  
 Email: dallas.flick@g Griffithbarbee.com

10 Karl O. Riley (NSBN 12077)  
 11 Cozen O'Connor  
 12 3753 Howard Hughes Pkwy, Ste. 200  
 13 Las Vegas, Nevada 89169  
 14 Ph. (702) 470-2330; fax (702) 470-2370  
 Email: koriley@cozen.com  
 Attorneys for Defendant Sayers Construction,  
 LLC

15 **Dated: April 11, 2022**

**THE FAUX LAW GROUP**

By /s/ Kurt C. Faux  
 Kurt C. Faux, Esq. (NSBN 3407)  
 Willi H. Siepmann, Esq. (NSBN 2478)  
 Jordan F. Faux, Esq. (NSBN 12205)  
 2625 North Green Valley Parkway, #100  
 Henderson, Nevada 89014  
 Ph. (702) 458-5790; Fax: (702) 458-5794  
 Email: kfaux@fauxlaw.com  
 Attorneys for Philadelphia Indemnity  
 Insurance Company

**Dated: April 11, 2022**

**CLARK HILL PLLC**

By /s/ Creighton Sebra  
 D. Creighton Sebra, Esq (pro hac vice)  
 1055 West Seventh Street, 24th Floor  
 Los Angeles, California 90017  
 Ph. (213) 891-9100; fax (213) 488-1178  
 Email: CSebra@ClarkHill.com

Bert Wuester Jr., Esq. (NSBN 5556)  
 CLARK HILL PLLC  
 3800 Howard Hughes Parkway, Suite 500  
 Las Vegas, Nevada 89169  
 PH. (702) 862-8300; fax (702) 862-8400  
 Email: bwuester@clarkhill.com  
 Attorneys for Use-Plaintiff

**Dated: April 11, 2022**

22 **IT IS SO ORDERED:**

23   
 24 U.S. MAGISTRATE JUDGE

25 **DATED: April 12, 2022**